

Guidelines for Use of NSTL Test Results and Seals in Advertising or Promotional Materials

Overview

NSTL encourages clients to use NSTL's test results and seals in their advertising, sales and promotional materials. To maintain our reputation as the leading independent testing organization, and to ensure the integrity of test data and commentary, NSTL requires that clients provide us with drafts of all materials for approval before production.

Approval of such use will not be unreasonably withheld. A decision is usually made within 48 hours of receipt of copy.

Guidelines For Use of Test Results

1. Claims made in advertising or promotional materials that involve NSTL test results cannot be deceptive or misleading, and must be germane to the results used.
2. Approvals for use of selective materials shall be based upon accurate representation of the materials.
3. Any mention of NSTL's test results must include a reference to NSTL (for example "Based on tests conducted by NSTL, May, 1998) and the statement "NSTL makes no recommendation or endorsement of any product." In addition:

(a) If Client wishes to use NSTL test reports in whole or in part, the following language must be included:

"NSTL makes no recommendation or endorsement of any product. This report was prepared under contract for [CLIENT]. NSTL does not warrant or guarantee the accuracy, adequacy or completeness of the services provided in connection with client's product. NSTL MAKES NO WARRANTIES, EXPRESS OR IMPLIED, AS TO RESULTS TO BE OBTAINED BY ANY PERSON OR ENTITY FROM USE OF THE SERVICES OR THE RESULTS THEREOF, OR ANY INFORMATION OR DATA INCLUDED THEREIN."

(b) If Client uses NSTL-licensed products to run tests and then distributes the results, the following language must be included:

"NSTL makes no recommendation or endorsement of any product. This test data/report was prepared by [CLIENT] using licensed testing products from NSTL. NSTL MAKES NO WARRANTIES, EXPRESS OR IMPLIED, AS TO RESULTS TO BE OBTAINED BY ANY PERSON OR ENTITY FROM USE OF THE SERVICES OR THE RESULTS THEREOF, OR ANY INFORMATION OR DATA INCLUDED THEREIN."

4. If NSTL tests using Client's test methodologies, the following language must accompany any materials referencing the NSTL test results:

"NSTL makes no recommendation or endorsement of any product. NSTL was contracted by [CLIENT] to conduct an independent assessment of [SPECIFIC PRODUCT NAME]. The data

presented in this report are the audited results of a test provided by [CLIENT] and executed by NSTL in accordance with parameters described in the full report. Results from other tests may vary. NSTL does not warrant or guarantee the accuracy, adequacy or completeness of the services provided in connection with [CLIENT'S] product. NSTL MAKES NO WARRANTIES, EXPRESS OR IMPLIED, AS TO RESULTS TO BE OBTAINED BY ANY PERSON OR ENTITY FROM USE OF THE SERVICES OR THE RESULTS THEREOF, OR ANY INFORMATION OR DATA INCLUDED THEREIN."

5. When using or referencing only portions of test results, the following language must be included:

"NSTL's complete test report is available upon request [or can be found at www.xxxxx.com]" (if applicable)].

About NSTL Seals

NSTL offers logos for specific testing programs (Year 2000 Compliance, multimedia software, etc.), as well as a general "NSTL Tested" logo, which is granted to certain products that vendors have submitted for testing. NSTL awards the NSTL Tested logo to vendors who demonstrate a commitment to quality by submitting a product to NSTL for testing and whose product successfully passed tests based on NSTL-approved methodology. Products displaying the "NSTL Tested" logo have been tested by NSTL for the vendor; NSTL makes no recommendation or endorsement of products bearing the logo.

The NSTL seals have been developed to designate products that meet NSTL's test standards. All products that meet test standards under these programs share a similar circular NSTL seal, with distinguishing information contained within the Seal.

NSTL requires that a sample of the proposed use of the seal — such as space ads, product packaging, product literature — be provided to NSTL for approval before use to ensure that the integrity of the seal is maintained.

Camera-ready or electronic artwork for the NSTL seals is available directly from NSTL and is provided upon successful completion of the testing program.

Guidelines For Use of NSTL Seal

The NSTL seal may only be used in conjunction with the specific product tested. New or revised versions of a similar product cannot bear the NSTL seal without NSTL review and approval, which may require additional testing.

The design, fonts, or integrity of the seal may not be altered in any way.

In some instances a box containing additional specifications will appear below the seal; this box must remain with the seal in all promotional materials.

The seal may be reproduced either in black-and-white or in two colors: PMS 287 or CMYK Cyan 100%, Magenta 80% (blue) for the word “NSTL” and PMS 185 or CMYK Magenta 100% Yellow 100% (red) for all other elements in the design. Further, no reversing out of the seal is allowed without prior approval from NSTL. The seal may be enlarged or reduced, proportionally, to any size larger than 6 picas (15/16 inches).

Clients who post the NSTL Seal to their web site must provide a link to NSTL's web site (**Error! Bookmark not defined.**).

Rights in Data

The NSTL seal has been registered with the U.S. Patent and Trademark office. NSTL retains the right to control all NSTL seals and to set guidelines for the proper use of the seal. NSTL reserves the right to alter or modify such guidelines at any time and in its sole discretion. NSTL will seek to protect and control the NSTL seal to assure the integrity of its testing programs and the value of the seal to NSTL clients. Reports of unauthorized use or misuse of any NSTL seal will be investigated and action will be taken, where appropriate.

To Request Approval

Requests for approval should be sent to:

Ted Erfer
NSTL
625 Ridge Pike, Building D
Conshohocken, PA 19428

Phone: 610-941-9600, ext. 232
Fax: 610-941-9952
E-mail: ted@nstl.com